

Department of Permitting Services (DPS)

Performance Plan

July 2011– June 2012 with Performance Projections through 2013 and 2014

Diane R. Schwartz Jones, Director

Contribution to Montgomery County Results: DPS contributes to the following results -

- A Responsive and Accountable Government
- An Effective and Efficient Transportation Network
- Healthy and Sustainable Communities
- Safe Streets and Secure Neighborhoods
- Strong and Vibrant Economy
- Vital Living for All of Our Residents

What DPS Does and for Whom	How Much
<u>Overall</u> The mission of the Department of Permitting Services is to provide safe and secure communities and to contribute to the economic vitality of the County by providing the highest quality of public service while ensuring compliance with Montgomery County's development and construction standards.	Size of Budget in Total: \$25,028,630 Number of Employees: 177.8 work years (WYs)
<u>Construction Safety</u> Promotes life safety in buildings and other structures.	DPS impacts the daily lives of nearly 1 Million residents of Montgomery County and their invitees by implementing the codes, reviewing the plans and inspecting the construction of the places where people live, work, play and pray. DPS provides for a more safe, secure, and environmentally sound community. In 2011 DPS processed 5,925 building permit applications for 23,707,388 sf of new, additions, tenant improvements, renovation and rehabilitation construction.
<u>Environmental Protection and Land Development</u> DPS protects our floodplains, streams and waterways and implements other environmental programs to ensure that the environment is protected from degradation from development activities. DPS protects the public safety and welfare through review, inspection and permitting of public rights of way.	The environmental programs that DPS is responsible for administering are executed throughout the County. They include: sediment control, stormwater management and well and septic programs. In 2011 DPS processed 483 applications for sediment control permits, 142 applications for stormwater management and 342 well or septic applications. DPS processed 2,441 right of way permit applications in 2011.
<u>Construction and Land Development Documents Review</u> DPS protects the public safety and welfare through plans reviews to ensure adherence with all applicable federal, state and local laws and regulations.	<ul style="list-style-type: none">• \$8,509,730• 62 WYs• 70,328 plans reviews (includes all disciplines reviews/ projects and repeat reviews of corrected plans)

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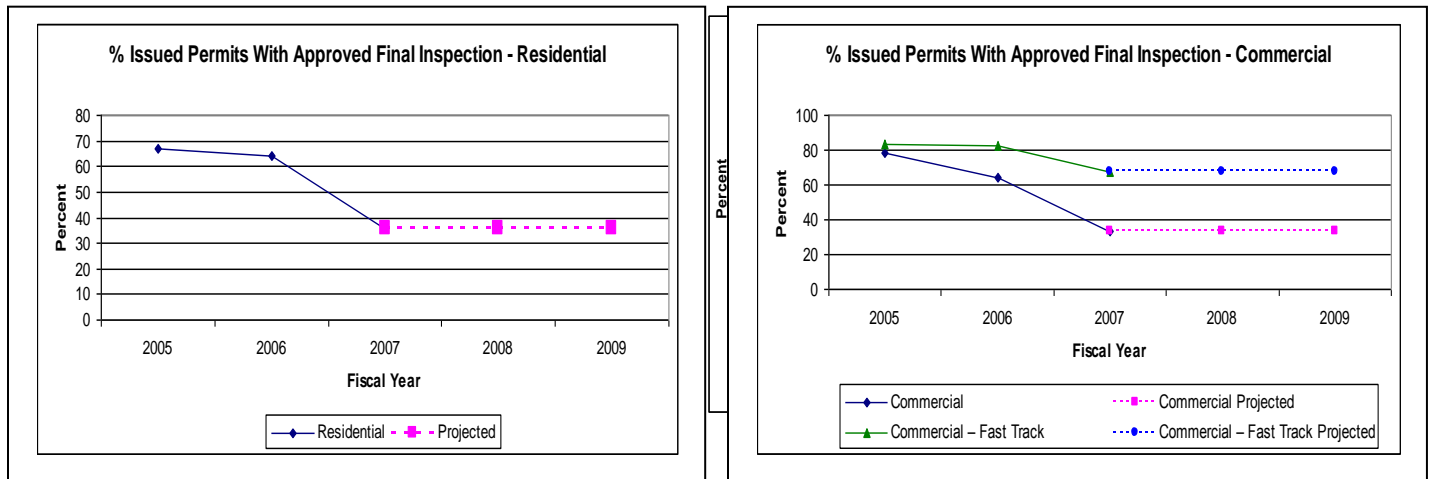
<p><u>Permit and License Issuance</u></p> <p>DPS contributes significantly to safe and secure neighborhoods, as well as assisting with the County's economic vitality through the issuance of permits and licenses to Applicants, Permit Runners, Homeowners, Builders, Architects, Business Owners, Vendors, Charitable events, Architects, Developers, Electricians, and Engineers. DPS also collects development taxes essential to the programming and construction of necessary infrastructure such as roads and schools.</p>	<ul style="list-style-type: none"> • \$5,005,730 • 37 WYs • 32,230 permits and 2,813 licenses
<p><u>Inspections and Investigations</u></p> <p>DPS contributes to healthy and sustainable neighborhoods and the vital living for all of our residents through inspections of development activities and by encouraging compliance with County zoning and development laws through investigations of complaints and code enforcement.</p>	<ul style="list-style-type: none"> • \$8,760,020 • 74 WYs • 102,282 inspections • 77,067 Building Construction inspections, 25,215 Land Development inspections in FY2011. • DPS' enforcement units conducted 7,326 investigations in FY2011. • DPS collected \$64,490 in citation revenues in FY2011.
<p><u>Inquiries, Outreach, and Coordination</u></p> <p>DPS responds to inquiries from the public and engages the community in dialogue regarding development and construction. DPS coordinates work with internal and external agencies as well as non-profit and civic associations.</p>	<ul style="list-style-type: none"> • \$2,753,150 • 6 WYs • 2,828 information requests in FY2011 • DPS facilitated 84 signature projects in FY2011 using a project management approach resulting in over 7,000,000 sf of commercial development planned or under construction.

Performance:

IMPACT MEASURES:

(n.b., the timing of final inspection is dependent upon many factors that are outside of DPS's control such as site conditions, weather, the ability of the General Contractor to adhere to the construction schedule, materials availability, etc. Complex construction jobs take longer than 12 months to complete. DPS performance can be better measure by response time for properly submitted construction plans and timely scheduling of inspections.)

• % Permits with a Final Inspection



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- **Construction Safety**

Approximately 25% of the projects inspected by DPS do not conform to applicable construction codes and standards and are therefore failed.

- **Qualitative Assessments from Independent, External Audits**

- ❖ Insurance Services Office (ISO) Report (every 3-5 years) / Building Code Effectiveness Grading Schedule (BCGES). ISO has a set of 28 criteria that they review and evaluate. Then, ISO assigns a classification from 1-10 (with 1 representing exemplary commitment to building code enforcement). DPS' current score in the category of one and two family dwellings is a 4; commercial structural is a 4.
- ❖ Maryland Department of the Environment (MDE) performed a comprehensive review of the County's sediment control program in November 2011 in order for DPS to receive continued enforcement delegation. MDE performs the review every 2 years and the criteria to evaluate the sediment control enforcement program effectiveness consist of: complete approved plans, adequate implementation of plans, adequate maintenance of devices, and successful enforcement of violations. DPS received full enforcement delegation from the state. MDE inspected 24 randomly selected active construction sites and found that appropriate enforcement measures had been taken by DPS inspectors on 100% of the sites. The review of the program found the active construction sites to be in good condition and routine enforcement was found to be very effective in gaining compliance. No program improvements were recommended. A new assessment is due to be completed in late 2013.

Story Behind the Performance:

Contributing Factors:

- **Final Inspections Provide Assurance and Protection of Community.** DPS performs close-out and final inspection procedures to ensure plan compliance. Land Development inspection staff is assigned to individual permits allowing ownership and follow up to get extensions when work is not completed in the timeframe allowed under the permit. Building Construction inspection staff now performs final building inspections to provide customers the assurance that their properties are safe and have met regulatory requirements. The two divisions in the same department now treat final inspections consistently.
- **External Audits Have Produced Very Good Results.** As part of MDE's enforcement delegation process, they inspected 24 active construction sites and reported that these sites were in good condition and in compliance with erosion and sediment control requirements. They also reported that when sites were not in compliance with plans, DPS used adequate enforcement measures such as Notice of Violations (NOV), stop work orders (SWO), and civil citations to correct violations found. MDE considers DPS to be a "model" agency in the area of sediment control and other environmental matters.
- **Business processes.** DPS Building Construction routinely schedules inspections within 24 hours of notification that a discipline or construction stage is ready for inspection. This helps to assure that project time is not lost while awaiting an inspection.

Restricting Factors:

- **Factors outside of the control of DPS.** The timing of final inspection is dependent upon many factors that are outside of DPS's control such as site conditions, weather, the ability of the General Contractor to adhere to the construction schedule, materials availability, etc. Complex construction jobs take

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longer than 12 months to complete. It is also noteworthy that in some instances permits may be issued later in the fiscal year which would result in final inspection in a subsequent fiscal year. DPS performance can be better measured by response time for properly submitted construction plans and timely scheduling of inspections.

- **Economy.** The above table reflects a drop in the percent of permits issued that have received final inspection. DPS believes this is attributable in large measure to a significant drop in construction due to the continuing recession.
- **Loss of professional, tenured staff.** DPS has lost a number of professional tenured staff which places a burden on remaining staff. With a high degree of senior staff this restricting factor will become more significant and DPS needs to develop a succession plan to ensure review and permit issuance and inspections stability.
- **Technology.** DPS's technology is woefully outdated and maintenance has not been provided due to deep budget cuts. This has resulted in several scanning machines being out of service and concomitant lag in the ability to get plans scanned in a timely fashion. This at times interferes with the ability of inspectors in the field being able to timely communicate with reviewers and managers in the home office.
- **External factors.** The ability to provide inspections directly relates to the progress on a given jobsite which inherently is outside of the control of DPS.

Action (What We Propose To Do To Improve Performance in the Next Three Years):

- Develop a plan for garnering the County a 3 or better Building Code rating for both residential and commercial categories when the assessment period occurs in 2015.
- Continue to use the MDE criteria to independently measure DPS performance.
- Develop a systematic technical training program.
- Launch the Hansen (permit tracking system) upgrade.
- Work more closely with active jobs to ensure that the general contractor is making timely requests to DPS for inspections.
- Develop in the near term a system for the electronic receipt and storage of approved development plans. The current process is that applicants must provide DPS with two paper copies of approved plans which then must be scanned by DPS and entered into Documentum. DPS proposes to require applicants to also submit a disc with electronically scanned plans which will greatly help the workflow and ensure the prompt uploading of plans for more effective communication between the inspector in the field and the reviewer in the home office. DPS has already begun discussions with stakeholders who are favorably disposed to this new business process.
- Beginning in January, 2012 DPS will take over fire system and sprinkler inspections as part of its inspection process. This will result in both time savings and cost savings for users of DPS services.
- DPS will explore with MNCPPC and WSSC areas where inspections can be performed by a single agency. Projects are frequently held up awaiting inspections by different agencies. Multiple inspections could be contemporaneously conducted by a single inspector as agent for multiple agencies.

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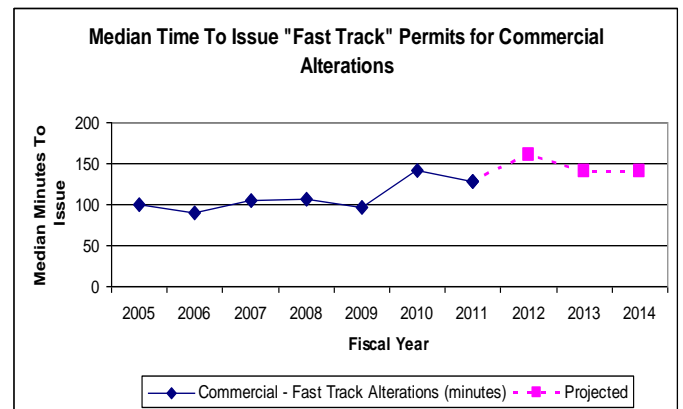
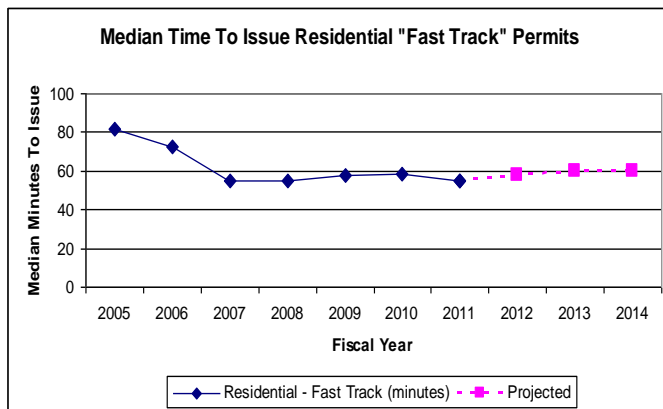
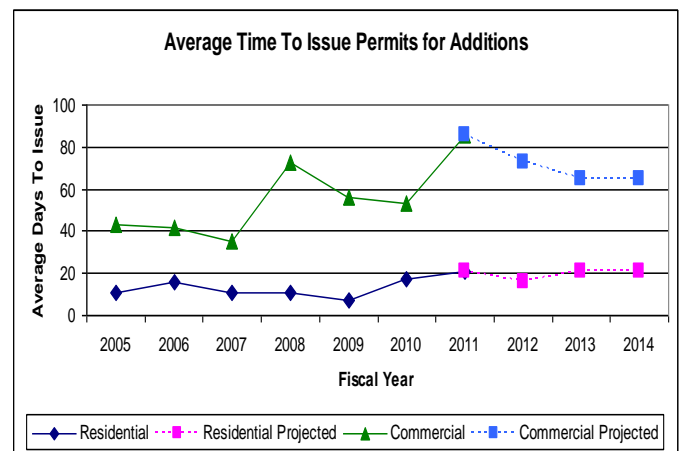
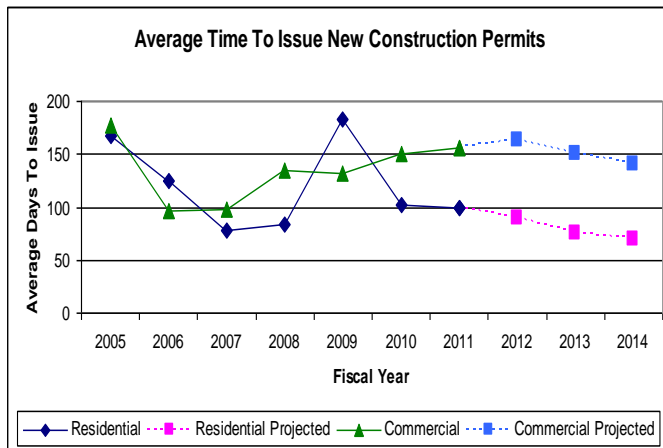
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- DPS will explore delegation of the State Street Tree Permit Program. Infill and other development frequently must cut street trees which requires two permits; one from the State for the street tree and one from DPS for working within the right of way which is where street trees are located. The state has only 3 employees covering multiple counties to issue permits and conduct inspections. If this inspection and permit function is delegated to DPS (which already inspects the right of way and issues the right of way permit), both the permit issuance and the inspections would be streamlined. This would also result in greater environmental protection and enforcement capabilities for illegal cutting of street trees.

TIMELINESS AND “EASE OF USE” MEASURES:

- Average Time to Issue Permits



Story Behind the Performance:

Contributing Factors:

- Unique Service - Permit Processing Facilitation.** The Customer Service Division emphasizes community outreach (focusing on specific customer segments) and public education. The other

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significant function of the Division is to facilitate the green tape process and to help first and only time customers to navigate the permitting process. Permit Technicians in this Division have knowledge in all areas of the permitting business.

- **Institution of Fast Track Counters.** The fast track counters in residential and commercial plan review have greatly contributed to the swift processing of customer requests. However, with the growing complexity of plans, this service can be upgraded with a few minor changes that will keep up with the trend toward customers submitting more complex plans.
- **Incorporated the Land Development Division into providing fast track services.** The Land Development Division's effort to provide fast track services was increased in early November 2009. We are now able to address issues related to drainage and right of way infringement before they manifest themselves as complaints.
- **Instituted the Intermediate Plan Review Process.** This process speeds up the review time for medium-size plans.
- **Improved Plan Review Tracking Practices.** In FY 2009, we began to track the time frame for the plan reviews or permit issuance that are on the "department's clock" as a subset of total review times. This would mean tracking the time that the plans are actually in our office, which can also give us an indication of lag time between submissions for each review. We have improved customer satisfaction by knowing the plan location and status at all times. We have also updated the website so that anyone can easily look up the status of any plan.
- **Improved Public Outreach.** Design public education programs targeted to the residential customer and other one-time only customers, such as faith-based organizations.

Restricting Factors:

- **Permitting Information System Upgrades Must Keep Pace With Customer Demands.** To conduct most of types of business with DPS, customers must physically visit our one facility or send us mail. No permits can be applied for on-line because the current version of the Hansen Permitting Information System doesn't provide the ability to apply for a permit (or pay for the permit) online.
- **Underutilization of Website Capabilities.** It is sometimes difficult for customers to maneuver the web site and independently find information. DPS staff receives calls on a daily basis from customers wanting step-by-step guidance on locating needed information.
- **Reductions in staffing in prior years.** DPS eliminated 41 positions in prior years. This was manageable with the reduction in development and construction during the recession; however, with the opening of both the Great Seneca Sciences Corridor Master Plan and the White Flint Sector Plan for development, as well as projects in other locations such as Germantown and Clarksburg staff will be required to accept review and process applications.
- **Increases in complex construction and shortened White Flint staging allocation.** With the CR zone and the significantly increased heights in newer plan areas, plans will be more complex adding to the review time for individual projects. Additionally, the 2 year staging allocation for White Flint means that plans are expected to be reviewed very quickly with immediate turnover to new plans if a developer does not timely proceed. This will most certainly result in a material increase to DPS's workload.
- **Senior staff.** With a high degree of senior staff this restricting factor will become more significant and DPS needs to develop a succession plan to ensure review and permit issuance and inspections stability.

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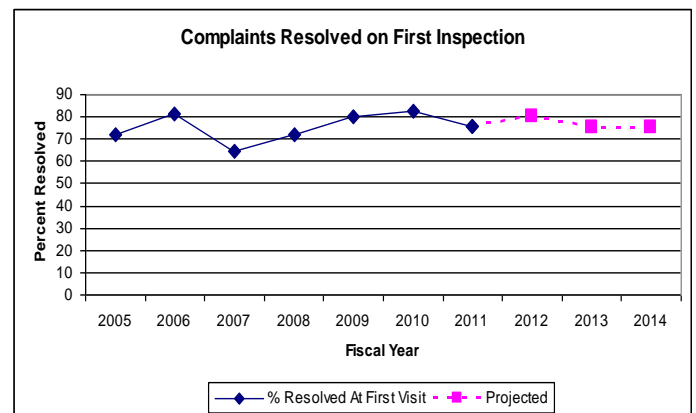
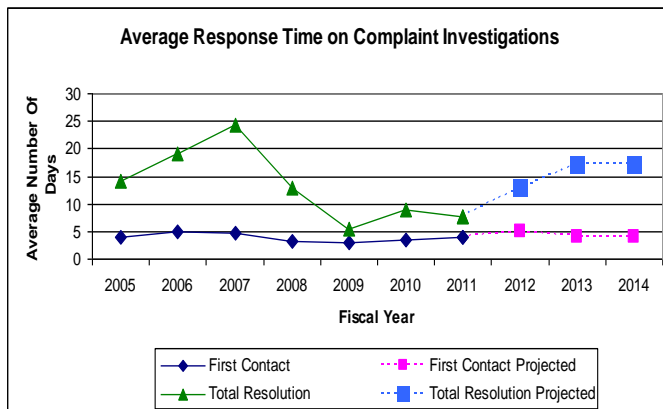
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Action (What We Propose To Do To Improve Performance in the Next Three Years):

- The new version of the Hansen Permitting Information System is scheduled for implementation by the end of May, 2012. This upgrade will allow for improved business processes including electronic payments.
- Streamlining the entitlement process through a variety of measures including, but not limited to:
 - a. Developing a system for the electronic filing, review and storage of development plans;
 - b. Working with sister agencies, and public and private sector customers to identify areas of duplication, redundancy, and points for greater efficiencies through collaborative reviews and inspections of development projects;
 - c. Enhancing our case management program to help effectively and efficiently implement the County's signature master plan areas like White Flint, the Great Seneca Sciences Corridor, Shady Grove, Germantown, etc. while contributing to the County's economic vitality and protecting communities.
- Re-design the website. In FY 2010, we reviewed all web site information and made sure that it is accurate. The re-designed website is being reviewed internally and tested with stakeholders and will be implemented in early winter 2012.
- Add additional staff to effectively manage workload expected due to new master and sector plans and staging policies. This will also allow for knowledge transfer and succession planning.

PUBLIC CONFIDENCE MEASURES:

- **Complaint Investigations**



- **Customer Satisfaction Data from Current Surveys**

a) Survey on DPS Web Site

- ❖ Instituted a new survey instrument via survey monkey in FY 2009.

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- ❖ 26.8% of all respondents were “very satisfied” with their interactions with DPS and 22% were satisfied the most with “customer friendly staff”.
- ❖ Open ended comments revealed that the permitting process needs to be more transparent and easier to understand.
- ❖ 38.2% of the survey respondents came to DPS for residential building permits.

b) Survey interviews conducted by DPS staff of customers visiting DPS’ office

- ❖ Instituted a second survey instrument via survey monkey January 2010.
- ❖ 71.5% of respondents were repeat customers.
- ❖ 34.3% of the survey respondents came to DPS for residential building permits.
- ❖ 61.6% were satisfied the most with “customer friendly staff.”
- ❖ 26% of the respondents felt improvement was needed in “Reasonable Processing Time”.

Story Behind the Performance:

Contributing Factors:

- **Point of Service Customer Surveys.** Customer survey data is now collected via DPS’ web site and through interviews by DPS staff of customers visiting DPS. The survey monkey provides automatic data analysis. We need to find more ways to get customers to take the survey and to collect data on specific business practices.
- **More Refined Complaint Data.** Complaint requests that are resolved on the first inspection are categorized to reflect the actual disposition of the complaint. The disposition categories are: no violation found; case referred to another agency; violations found, but resolution was achieved. If additional investigations are required because resolution could not be achieved on the first visit, then a case file will be opened. Before the start of FY 2010, all DPS staff was trained to use this consistent complaint handling procedure. Implementation of this practice began in July 2009.
- **Resurrection of DPS Newsletter – Constructive Comments.** DPS resurrected “Constructive Comments” in October 2010 to inform their customers of changes in laws, codes and procedures and to keep customer informed of pertinent issues.

Restricting Factors:

- **Customer Perception Improvements Are Needed.** There is anecdotal evidence of a perception that the development community receives better service and programs than residential customers. We currently have no way of determining (1) how widely the perception is held and (2) if this perception is a reality. While DPS provides fast track services for both residential and commercial building customers, there are other special services that only commercial customers receive such as daily pre-design meetings. Without survey data collected over time, it is difficult to know what types of programs will better serve the residential customer population.

Action (What We Propose To Do To Improve Performance in the Next Three Years):

- Continue to analyze and act on customer feedback data. Re-evaluate the new survey instrument to ensure that it is effective and provides useful information.

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- Dedicate resources in the Customer Services Division to execute outreach activities, public education, and survey analysis.
- Update survey questions on both surveys to refine data
- Adopt new building codes to include increased options for green building and technology
- Identify areas in the Montgomery County Code that may need revision to more effectively protect communities from unreasonable nuisance intrusions